

## **FISH & WILDLIFE COMMISSION AGENDA ITEM COVER SHEET**

**Meeting Date:** February 10, 2017

**Agenda Item:** Skyles Lake Fishing Access Right-Of-Way Realignment (R1)

**Division:** Fisheries

**Action Needed:** Endorsement

**Time Needed on Agenda for this Presentation:** 5 Min

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### **Background**

Skyles Lake FAS is a 2-acre site on Skyles Lake five miles north of Whitefish on Montana Highway 93 in Flathead County. Skyles Lake FAS has parking for two vehicles and a primitive hand launch. MDT is planning a reconstruction project for Highway 93 including realignment and widening. This project will encroach upon Skyles Lake FAS and will require FWP to convey .06 acres of property to MDT in order to accommodate the widening and re-alignment. MDT would compensate FWP at fair market value for the property. MDT would also improve the approach to the FAS access road.

### **Public Involvement Process & Results**

Upon receiving the Commission's endorsement FWP will prepare and file an environmental assessment (EA) that will not be released for public comment. This EA will refer to the MDT public processes. The public has already had several opportunities to participate and comment on the project during the planning process conducted by MDT. The project was first analyzed and approved in a 1994 Final Environmental Impact Statement (FEIS) and subsequent Record of Decision. In 2005, MDT initiated a re-evaluation of the project and a public participation process that included two public open houses, a Citizens Working Group (CWG) and Decision Team. MDT did not receive any comments that specifically addressed impacts to Skyles Lake FAS. In 2007 FWP concurred with a finding of minor or "de minimis" impacts to the FAS. In 2008 MDT issued a re-evaluation of the project and concluded that the project should proceed.

### **Alternatives and Analysis**

The Department will consider two alternatives. The No Action alternative would mean the Department will not convey .06 acres of property at Skyles Lake FAS to MDT for the purpose of widening and realigning Highway 93. The Preferred Alternative will be to convey this property to MDT.

### **Agency Recommendation & Rationale**

FWP recommends that the Commission endorse efforts by the Department to convey .06 acres of property at Skyles Lake FAS to MDT for the purpose of reconstruction and improvement of Highway 93. The property is not essential to the operation of the FAS and public access to the FAS would be improved as a result of the improved highway approach.

### **Proposed Motion**

I move that the Commission authorize the Department to pursue disposal of .06 acres of property at Skyles Lake FAS to accommodate the widening and re-alignment of US Highway 93.